

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

The Illinois Information Service has requested filming of the proceedings. Is leave granted? Leave is granted. Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Thursday, May 17th, and Friday, May 18th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objections, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Monday, May 21st, in the year 2001, be postponed, pending arrival of the printed Journal.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Dillard, Chair of the Committee on Local Government, reports Senate Bill 93 - the Motion to Concur with House Amendment 1 Be Approved for Consideration; Senate Bill 99 - the Motion to Concur with House Amendment 1 Be Approved for Consideration.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bill 382, with House Amendment 1; Senate Bill 390, with Amendment 1; Senate Bill 750, with Amendment 1; Senate Bill 873, with Amendment 1; and Senate Bill 1329, with Amendment 1, all Be Adopted.

Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 42 - the Motion to Concur with House Amendments 1 and 2; Senate Bill 333, with Amendment 1; Senate Bill 869, with Amendment 1; Senate Bill 935, with Amendment 1, all Be Approved for Consideration.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 64 - the Motion to Concur with House Amendment 1; Senate Bill 104, with Amendment 1; Senate Bill 401, with Amendment 1; Senate Bill 797, with Amendments 1 and 2; Senate Bill 993, with Amendment 1; Senate Bill 1065, with Amendment 1; Senate Bill 1305, with Amendment 1; and Senate Bill 1517, with Amendment 1, all Be Approved for Consideration.

Senator Mahar, Chair of the Committee of Environment and Energy, reports Senate Bill 724 - the Motion to Concur with House Amendment 1 Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Senate Bill 116 - the Motion to Concur with House Amendment 1; Senate Bill 326, with Amendment 1; Senate Bill 487, with Amendment

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

1; and Senate Bill 979, with Amendment 1, all Be Approved for Consideration.

Senator Parker, Chair of the Committee on Transportation, reports Senate Bill 115 - the Motion to Concur with House Amendment 2; Senate Bill 800, with Amendment 1; Senate Bill 826, with Amendment 1; Senate Bill 827, with Amendment 1; Senate Bill 1098, with Amendment 1; Senate Bill 1521, with Amendment 1 and Senate Bill -- or, all of those Be Approved for Consideration; and Senate Bill 30 - the Motion to Concur with House Amendment No. 1 Be Tabled.

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bill 900 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bill 606 - the Motion to Concur with House Amendment 1; Senate Bill 825, with Amendment 1; and Senate Bill 902, with Amendment 1, all three Be Adopted.

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Bill 1152 - the Motion to Concur with House Amendment 1 Be Approved for Consideration.

And Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bill 252 - the Motion to Concur with House Amendment 1 Be Adopted.

PRESIDENT PHILIP:

Senator Madigan, for what purpose do you rise?

SENATOR R. MADIGAN:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR R. MADIGAN:

Visiting with us in the Visitors' Gallery this afternoon is a group of ladies from the Morton Women's Republican Club from my

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

district, and I'd ask the President to welcome 'em to the Senate.

PRESIDENT PHILIP:

If they would please rise and be welcomed by the Senate.  
Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 28, with House Amendments 1 and 2.

Passed the House, as amended, May 21st, 2001.

We have a like Message on Senate Bill 417, with House Amendment 1, and Senate Bill 858, with House Amendment 1.

Both passed the House, as amended, May 21st, 2001.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 158, offered by Senator O'Malley and all Members.

Senate Resolution 159, by Senator Sullivan and all Members.

Senate Resolution 160, by Senator Myers and all Members.

And Senate Resolution 161, by Senators Myers, Robert Madigan and all Members.

They're all death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Now I'm going to turn the podium over here for a minute to -- to Senator Myers. She has, from her district, the State champion volley -- volleyball players. Senator Myers.

SENATOR MYERS:

Thank you very much, Members of the Senate. This is a girl's fifth, sixth, seventh and eighth (grade) volleyball team. And just a little history about them, they had -- have a record we'd

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

all like to have. They were undefeated at home. They were undefeated in the Little Eastern Illini Conference and the East Okaw Conference. The Bull Puffs, which is their name, were the lead champions of the Little Eastern Illini Conference, along with the East Okaw Conference. The ladies were also the regional champions and sectional champions. And then, as if that wasn't enough, they concurred the State Championship with a perfect 25 to nothing record. I am really proud of these young ladies from my district and in Kansas, Illinois. We have today with us, among other guests - there are some in the gallery over here, wave your hands, parents and teachers are here - but I'd like to introduce to you Superintendent Chris S. Long.

SUPERINTENDENT CHRIS S. LONG:

(Remarks by Superintendent Chris S. Long)

COACH BRENDA COFFEY:

(Introduction of team)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Ladies and Gentlemen of the Senate, we're going to go to final action on page 23, under Secretary's Desk, Concurrence, Senate Bills. The Chair would encourage the bill sponsors to review the Senate bills that have been returned to the Senate on the Order of Secretary's Desk, Concurrence, and to file motions with regard to same, as soon as possible. We're referring to page 23 of today's Calendar, for the purpose of final action only. ...Bill 15. Senator Philip. Read the bill -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 15.

The motion filed by Senator Philip.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Thank you, Madam President, Ladies and Gentlemen of the Senate. The House -- what this does is freeze the real estate assessments for Moose, Elks, and the House decided to include the Knights of Columbus, which, quite frankly, I overlooked. I think it's a good amendment, and I move to concur on House Amendment No. 1 to House -- to Senate Bill 15.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none -- this is final action -- the question is, shall the Senate concur in House Amendment 1 to Senate Bill 15. All those in favor, vote Aye. All opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 voting Aye, 1 voting Nay, none voting Present. And this bill, having received the -- the concurrence of the Senate, in House Amendment 1 to Senate Bill 15, and having received the required constitutional majority, is hereby declared passed. We will go back -- go to -- forward to page 27, Ladies and Gentlemen of the Senate. And may I suggest to the Senators that it would be very much accepted and very much appreciated if you confine your talking to very slow whispers so that I don't hear what you're saying. Thank you. Senate Bill 931. Senator Myers. Read the bill, Mr. Secretary. Read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 931.

The motion filed by Senator Myers.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Myers.

SENATOR MYERS:

Thank you, Madam President and Members. This basically is just a technical change, and it deals with the building for the

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

judicial circuit. And it basically makes this bill effective immediately upon passage of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur in House Amendment 1 to Senate Bill 931. Those in favor, vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have -- have all voted who wished? Take the record. On that question, there are 55 voting Aye, none voting No, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 931, and the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 950. Senator Lauzen. ...the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 950.

The motion filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

What this amendment does is it changes the effective date to June -- 30th?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill 950. Continue, Senator Lauzen.

SENATOR LAUZEN:

Sure. This amendment from the House merely changes the -- the effective date to July 1st, after it's been enacted. And what this -- what this bill does is it establishes a "deadbeats most wanted list" of individuals to -- to collect child support arrearage.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Welch.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

SENATOR WELCH:

...ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he'll listen.

SENATOR WELCH:

Senator, your explanation was that it changed the effective date to July 1st. What was the effective date, why was it changed, and the effective date of what?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

The -- it had an immediate effective when it passed out of here, and from consideration over in the House, they wanted to change that to delay the effective date from immediately to July 1st, 2002. They felt that it'd give the Department more time to structure it properly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Welch? Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 950. Those in favor, vote -- will vote Aye. Those against will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And this bill, having received the concurrence of House Amendment 1 to Senate Bill 950, is -- and having received the required constitutional majority, is hereby declared passed. Senate Bill 969. Senator Burzynski. Read the bill -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 969.

The motion filed by Senator Burzynski.



STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. This is a technical amendment that was necessary in the House to clean this language up.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, this is final action. Shall the question -- the question is, shall the Senate concur in House Amendment 1 to Senate Bill 969. Those in favor, vote Aye. Those against will vote Nay. The -- the voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, 1 voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 969, and the bill, having received the required constitutional majority, is hereby declared passed. The motion to concur on -- page 28, Ladies and Gentlemen. Senate Bill 1117. Senator Clayborne. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1117.

The motion, by Senator Clayborne.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Out of the record. ...leave of the House... Senator Demuzio, what purpose do you rise, sir?

SENATOR DEMUZIO:

Well, Madam President, two issues. One, let the record reflect Senator O'Daniel is still absent today due to the illness of his wife.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

So be reflected.

SENATOR DEMUZIO:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

And -- and number two, since we're skipping around, how do -- how do we know, by looking at the Calendar, that motions are going to be called? You just doing concurrences?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

If you'll recall, we said we were going into final action. I announced it three times. Senator Demuzio.

SENATOR DEMUZIO:

All right. I guess the answer to the question is we're just doing concurrences and not nonconcurrences, so that's the way I know.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Final action on these. Yes.

SENATOR DEMUZIO:

Well, I want to thank myself for asking that question and answering it. Thank you very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You're very welcome, Senator Demuzio. It couldn't happen to a nicer person. With leave of the Senate, we'll go back to Senate Bill 216 on a motion to nonconcur {sic}. Senator Klemm {sic}. Read the motion. 216.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 216.

The motion, by Senator Karpiel.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel. Sorry.

SENATOR KARPIEL:

Thank you, Madam President. I move to concur in amendment -- in House Amendment No. 1 on Senate Bill 216. The amendment -- the House amendment makes the bill exactly the same as the House bill, which we passed out of here a few weeks ago.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in -- in Senate Amendment -- in House Amendment 1 to Senate Bill 216. All those in favor, vote Aye. All opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. There are, on that question, 56 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 216, and the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, Supplemental Calendar No. 1 has been distributed to you, and we are going to go on page 2 of that Supplemental Calendar, in the Order of Secretary's Desk, Senate Bills. Senate Bill 42. Concurrence on that bill. Senate -- read the bill, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 42.

The motion, by Senator Hawkinson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Could we please have it a little more quiet on my right side here? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Several years ago, this General Assembly passed the Genetic Information Privacy Act. Since that time, the work on the human genome has been completed, and many, many genetic tests exist that are accurate predictors of what illnesses and diseases we may acquire in the future. This bill, as amended in the House, is an attempt to further tighten up the privacy of genetic testing. Right now, in regard to accident and health insurance, if an insurance company receives information about a genetic test from a subsidiary corporation or any other source, our current law does not prevent the use of that

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

information to deny health or accident insurance coverage. This bill, as amended, with House Amendments 1 and 2 - and House Amendment No. 2 becomes the bill - will tighten and close that loophole to provide that in regard to accident and health insurance, if information is obtained from a credit card company or a bank or any other source, that information may not be used to discriminate against an individual in obtaining health or accident insurance and that information may also not be released to any third party. I'd be happy to answer questions; otherwise, I would urge a Yes vote on the motion to concur in House Amendments 1 and 2 to Senate Bill 42.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 42. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Senate does concur -- the question, there are 57 Ayes, none voting Nay, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 42, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 64. Senator Silverstein. Read the bill, Mr. Secretary. Read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 64.

The motion, by Senator Silverstein.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. I move for the adoption of the

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

amendment. What the amendment does, it changes the formula to distribute funds -- to obtain funds so we can get matching funds for -- from the federal government for the Trauma Center Fund.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 64. Those in favor, vote Aye. Those against will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And this bill, having received the required -- the Senate does concur in House Amendment 1 to Senate Bill -- 64, rather, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 93, motion to concur. Senator Rauschenberger. Senate Bill 99. Senator Luechtefeld. Read the bill, Mr. Secretary -- the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 99.

The motion, by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President and Members of the Senate. This amendment to Senate Bill 99 simply gives the -- the Senate bill gave the Kaskaskia Port District the right to borrow money if it was repaid within -- from a financial institution if it was paid within one year. This -- this amendment simply says that there has to be enough security there for that borrowing. I would move to concur with the House Amendment 1 to Senate Bill 99.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none,

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

the question is, shall the Senate concur in House Amendment 1 to Senate Bill 99. Those in favor, vote Aye. Those against will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 99, and this bill, having received the required constitutional majority, is declared passed. Senate Bill 104. Senator Luechtefeld. Read the bill, Mr. Secretary -- the motion, rather.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 104.

The motion, by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President, Members of the Senate. The House amendment which was added on simply strengthens, I think, an amendment that we put on this bill, which was a suggestion of Senator Hawkinson, to basically take surface mining out of -- of -- of this particular bill. It -- it gives the right of -- of ownership on -- on coal rights to -- basically allowing that -- that everyone doesn't have to sign. As long as you have a majority of the -- of the coal rights, you can do it. But it cannot be done with surface mining, and I think this just strengthens that. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur in Amendment 1 to Senate Bill 104. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 104, and the bill, having received the required constitutional majority, is declared passed. Senate Bill -- a motion on Senate Bill 115. Senator Radogno. Senator Radogno? Read the bill -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 115.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill was designed to address a problem whereby car dealerships would issue keys to individuals who came in claiming they had lost keys and then would use the keys to steal the car. When it left the Senate, the way that we were going to accomplish that was by requiring people to provide proof that they own the car. The amendment done by the House gets at the same problem, but the way they do that is by requiring dealerships to take a copy of the driver's license and keep it on file for 30 days. I think it's a reasonable approach to this and would seek your concurrence.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 {sic} to Senate Bill 115. All those in favor, vote Aye. All opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 115, and the bill, having received the required

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

constitutional majority, is declared passed. Senate Bill -- a motion on Senate Bill 116. Senator Radogno. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 116.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This bill codifies the role of school social workers for children that have IEPs. The House amendments make two minor changes. It changes the word "positive" to the word "nonaversive", and it also removes the reference to Content Area Standards for School Social -- Service Personnel, because those are not yet drafted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, does the Senate concur in House Amendment 1 to Senate Bill 116. To -- those in -- those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur with House Amendment 1 to Senate Bill 116, and the bill, having received the required constitutional majority, is declared passed. A motion on Senate Bill 252. Senator Lauzen. Senator Lauzen? Out of the record. Senate Bill 326. Senator Link. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 326.

The motion, by Senator Link.



STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Link.

SENATOR LINK:

Thank you, Madam President. Basically what this -- this bill is a military impact aid bill that passed out of the Senate 51 to 2. And in the House, they added amendment which basically just made it a line item in the budget appropriations. It also clarified who is eligible for the -- the grant. And the other thing it did was put an effective date on it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR JACOBS:

It's my understanding, Senator, for the qualifications on this, they have to have students attending the -- the -- the schools, correct? Is that part of the qualifications?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Link.

SENATOR LINK:

Yes. That is correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the -- the question is, shall the Senate concur in House Amendment 1 to Senate Bill 326. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 voting Aye, none voting

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Nay, none voting -- and 2 voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 326, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 333. Senator Walsh. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 333.

The motion, by Senator Walsh.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Madam President and Members of the Senate. Senate Bill 333 is the bill that provided that independent insurance agents own their expirations. House Amendment No. 1 to Senate Bill 333 clarified that financial institutions are exempt from the prohibition on use of expirations. This was a clarification for the financial institutions. I -- I know of no opposition, and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the -- this is final action. The question shall -- is, shall the Senate concur in House Amendment 1 to Senate Bill 333. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. All voted -- have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, 1 voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 333, and the bill, having received the required constitutional majority, is declared passed. Senate Bill -- a motion on Senate Bill 382. Senator Syverson. Read the motion, Mr. Secretary.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 382.

The motion, by Senator Syverson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. On this one change, there was some language added that addressed the concerns of the City of Chicago. Know of no opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 382. Those in favor, vote Aye. Those opposed -- against. The motion -- the voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting -- 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 382, and the bill, having received the required constitutional majority, is declared passed. A motion on Senate Bill 390, Mr. Secretary. Senator Cullerton.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 390.

The motion, by Senator Cullerton.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Senate Bill 390 passed unanimously in the Senate. Had to do with giving some definitions to hospitals as to how to identify a patient's family if they were unable to -- if the patient was unable to make

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

decisions for themselves. This was an effort to try to reach their family. And the Hospital Association just asked over in the House that put a -- an agreed-upon amendment that just says that no individual is liable for civil damages or subject to professional discipline based on a claim of violating a patient's right to confidentiality as a result of making a reasonable inquiry as to the availability of the patient's family members or health care agents, except, of course, for willful and wanton misconduct. So it's an agreed amendment. Still supported by the Hospital Association, Equip for Equality, and the Nurses Association, and the Medical Society. So I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Indicates that he will.

SENATOR HAWKINSON:

Senator, I only have your explanation and that's the same as our analysis, that there can be no negligent claim for violating their confidentiality. What about a claim based on a failure to make a reasonable effort? Is that dealt with at all?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Well, the language of the actual amendment just says that no person shall be liable or subject to professional discipline based on a claim of violating the right of confidentiality as a result of making a reasonable inquiry. So it's limited to that purpose. So I don't -- I don't believe it would affect the question that

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

you asked.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

So, if there are any other claims based on a violation of this Act, this limited immunity provision would not apply to those other claims.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

I agree with that statement. Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in Amendment -- in House Amendment 1 to Senate Bill 390. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 390, and the bill, having received the required constitutional majority, is declared passed. Motion on Senate Bill 401. Senator O'Malley. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 401.

The motion, by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 401, as it passed the Senate, changed the definition of a -- retarded person throughout the Criminal Code

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

and the Code of Criminal Procedure by eliminating the word "institutionalized" or the requirement for institutionalization to qualify for that status. The House Amendment No. 1 amends the bill by changing the definition of retarded persons to include moderately mentally retarded persons, and -- and it thereby eliminates the dual diagnosis requirement in the current definition. The current definition provides as follows: That it be a severely or profoundly mentally retarded person, you must include a person with an IQ between forty-one and fifty-five, plus a significant mental illness. Mental health professionals view an IQ range from forty-one to fifty-five as moderately mentally retarded, as opposed to severely or profoundly mentally retarded. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in Senate {sic} Amendment 1 to -- to Senate Bill 401. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. The -- the Senate does concur in House Amendment 1 to Senate Bill 401, and the bill, having received the required constitutional majority, is declared passed. A motion on Senate Bill 487. Lawrence Walsh. Mr. Secretary, will you read the bill -- motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 487.

The motion, by Senator Walsh.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Larry Walsh.

SENATOR L. WALSH:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Thank you, Madam President and Members of the Senate. Senate Bill 487 dealt with an issue in regards to a school district being able to sell property to a nonprofit agency that had used the school or leased the school for ten years or more. House Amendment No. 1 says that if the property is sold to the nonprofit agency for less than the appraised value and the agency then sells the property at some future date, the agency may only retain profits proportional to the percentage of the appraisal that the agency paid the school district for the property, plus any major improvements made. The remaining portion of profits made by the agency revert back to the school district.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 Senate Bill 487. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 487, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 606. Senator Rauschenberger. Out of the record. Senate Bill 724. Senator Shaw. Senator Shaw? Senate Bill 724. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 724.

The motion, by Senator Shaw.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Amendment -- the first amendment

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

clarifies the -- that the requirement and qualification of solid waste energy facilities file monthly reports. That's what the first amendment does. The second amendment clarifies that the liens -- the authority provides that DORS {sic} (DOR), in the underlining {sic} bill, is only granted to extend the necessary enforcement of the Act. The third amendment clarifies that the intent of the Public Act is to -- originally, establish the Municipal Economic Development Fund, specifying that a municipality is eligible for revenue from the Fund so long as -- so long as it is operating an incinerator. And this is -- this amendment has been agreed to by all of the solid waste energy people. And there's no opposition to the amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in Senate Amendment 1 to Senate Bill -- I mean, House Amendment 1 to Senate Bill 724. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 724, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 750. Senator Radogno. Out of the record. Senate Bill 797. A motion on that. Mr. Secretary, would you please read it? 797.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 797.

The motion, by Senator Lauzen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we have your attention, please? Senator Lauzen.

SENATOR LAUZEN:



STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Thank you, Madam President, Members of the Senate. As the bill left the Senate, it created the Prizes and Gifts Act. And the House Amendment No. 1 becomes the bill with language agreed upon by the Cook County State's Attorney and the Illinois Attorney General. Provides that no sponsor may require a person in this State to pay the sponsor money as a condition of awarding the person a prize, or as a condition of allowing a person to receive, use, or compete for, or obtain information about a prize. It makes other provisions that makes the awarding of these contests -- that it doesn't make incredible offers to folks. House Amendment No. 2 just makes a technical amendment -- or, is a technical change.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR HAWKINSON:

Senator, without being overly technical, because of Section 15, which says that this only applies to prizes that are -- are subject to a written promotion, is it your intent that Section 20(a), which talks about allowing somebody to compete without the payment of money, only applies to those cases where there has been a written promotion sent to individuals?

SENATOR LAUZEN:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Final action. The question is, shall the Senate concur in Senate Amendments 1 and -- in House Amendments 1 and 2 to Senate Bill

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

797. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 797, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 800. Senator Klemm. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 800.

The motion, by Senator Klemm.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President. Senate Bill 800 was extending the sunset provision of ten years, which would allow a township road commissioner to help nondedicated roads get up to standard so they could be accepted in the township road system. House Amendment No. 1 reduced the amount of accumulated funds from fifty percent back to ten percent, which is current law. It was an error in the original drafting that we had in the Senate, and it corrects all the problems that we had. And I do ask for your support. There's no opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 800. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present, and this bill, having received the required constitutional majority,

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

is declared passed, since the Senate does concur in House Amendment 1 to Senate Bill 800. Senate Bill -- 825. Senator Watson. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 825.

The motion, by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. Senate Bill 825, as it left the Senate, amended the Freedom of Information Act and the Bi-State Transit Safety Act by transferring the authority held by the Act by the State of Missouri to the St. Clair County Transit District, and it also deleted the repealer of July 1st, 2002. House Amendment No. 1 deleted the transfers of liability from the State of Missouri to the St. Clair County Transit District, and as a result, the liability will be subject to the Local Governmental and Governmental Employees Tort Immunity Act. And this amendment was a compromise with the Illinois Trial Lawyers Association, and it passed a hundred and fifteen to nothing out of the House.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur to -- to House Amendment 1 to Senate Bill 825. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. And this Senate does concur in House Amendment 1 to Senate Bill 825, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 826.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Senator Klemm. Would you read the motion, Mr. Secretary?

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 826.

The motion, by Senator Klemm.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

Thank -- thank you, Madam President. Senate Bill 826 made various changes to bring Illinois into compliance with Federal Motor Carrier Safety Regulations. Federal law require the states to put into place and enforce penalties for commercial motor vehicle drivers committing violations at railroad-highway grade crossings. You know, we've had some accidents there. House Amendment No. 1 made some changes to provide that no employer or commercial motor vehicle owner may knowingly allow or permit or require a driver to operate a commercial motor vehicle in violation of any law or regulation pertaining to highway-railroad grade crossings. It also added a provision stating that no person may drive any vehicle through a railroad crossing if there is insufficient space to drive completely through the crossing without stopping. There are provisions in the law that would allow them to do some -- some penalties on that. There is -- IDOT agrees with the bill. There's no problem. The Senate -- Secretary of State agrees. There's no opposition. I do ask for your support.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will, but would you...

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

SENATOR HAWKINSON:

Senator, from our discussions with IDOT in committee this morning, these new offenses for driving through railroad crossings and the like apply only to those with commercial drivers' licenses when they're driving commercial vehicles and not when they're driving their own private cars. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

It seems like that would apply to the first provision... The second provision also applies to the commercial driver's license, and not the individuals.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Hawkinson.

SENATOR HAWKINSON:

But someone with a CDL could be driving their own vehicle. And if they're driving their own vehicle, these provisions do not apply. Is that not correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Klemm.

SENATOR KLEMM:

That is my understanding. Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 826. All those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 826, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 827.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Senator Radogno. 827? Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 827.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Can we please have a little more attention in the Senate?  
Thank you, Ladies and Gentlemen. Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Senate Bill 827 seeks to increase compliance with the Illinois Motor Carrier Safety Law, the Illinois Hazardous Materials Transportation Act and the diesel emissions testing program. When it left the Senate, it authorized the Secretary of State to suspend or revoke a vehicle's certificate of title or the registration plate for failure to pay a fine under any of those programs. The change, the amendment, eliminates the ability of the Secretary of State to revoke the title. It leaves the -- the plate registration in. There was concern that it would cause questions about the vehicle's ownership as we originally passed it.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 827. Those who are in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 827, and the bill, having received the required constitutional majority, is declared passed. A motion on Senate Bill 869. Senator Radogno. Read -- read the motion, Mr. Secretary.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 869.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. Senate Bill 869 prohibits discrimination in Class 1 and 2 insurance. What the change does -- what the amendment -- the House amendment does is limits the remedies available to those that are in the Illinois Insurance Code. There's no opposition. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any -- any discussion? Any discussion? Hearing none, the question is, shall Senate -- the Senate concur in -- in House Amendment 1 to Senate Bill 869. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 869, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 873. Rauschenberger. Out of the record. Senate Bill 909. Senator Bomke. Read -- read the motion. Senate Bill 900, I'm sorry. Senate Bill 900. Senator Bomke. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 900.

The motion, by Senator Bomke.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. The underlining {sic} bill, Senate Bill 900, allows the Southern Illinois University to sell its Auburn Medical Center and to deposit the proceeds directly into its own funds. Amendment 1 -- House Bill -- Amendment 1 to Senate Bill 900 requires that sale of the property to be made before January 1st, 2003. Amendment 2 deletes a sentence allowing the sale of the property to occur without compliance to the State Property Control Act and adds a provision requiring the sale of the real property be made in full compliance with the State Property Control Act, provided that the net proceeds received be deposited in the SIU Repair and Replacement Reserve Account.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 900. Those in favor will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 900, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 902. Senator Watson. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 902.

The motion, by Senator Watson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Please, like -- let's have a little more quiet. Senator Watson.

SENATOR WATSON:



STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Thank you very much, Madam President. Senate Bill 902, as it left the Senate, would allow an income tax deduction for the Illinois prepaid tuition contract, which is administered by the Illinois Student Assistance Commission, and then also a -- a tax deduction -- income tax deduction for the Bright Star college savings plan administered by the Treasurer. When it reached the House, there was some concern about the fiscal impact that the deduction might have on the Illinois Student Assistance Commission, and as a result, they were removed from the bill. That's what the House amendment does, and I move to concur.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question shall -- the question is, shall the Senate concur in House Amendment 1 to Senate Bill 902. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 902, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 935. Read the motion -- Senator Bomke's -- Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 935.

The motion, by Senator Bomke.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. When Senate Bill 935 left the Senate, it required insurers to notify insureds of changes in drug formularies by way of putting them on the insurer's website. House Amendment 1 to Senate Bill 935 amends the State Employee(s) Group

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Insurance Act of 1971, the Comprehensive Health Insurance Plan (Act), the HMO Act, and the Limited Health Service Organization Act, and the Voluntary Health Service(s) Plan Act to require the programs for health benefits under these Acts to comply with the drug formulary requirements of Senate Bill 935. All administrators under the State Employees Group Insurance Act must comply, as well.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the -- shall the Senate concur in House Amendment 1 to Senate Bill 935. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? On that question, there's 56 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 935, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 979. Senator Parker. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 979.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What this bill does is it requires the school boards to permit self-administration of pupils -- of prescribed asthma medication, which certainly is important in schools. What the amendment does is say that -- that for willful and wanton, the school employees would be liable, but we must understand that they would not be liable under the other circumstances. So that's what

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

the amendment does, and I would ask for your concurrence with this.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur with House Amendment 1 on Senate Bill 979. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 979. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 993. Senator Philip. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 993.

The motion, by Senator Philip.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 993 provides that an order for child support entered or modified and -- on or after July 1, 2002, shall contain a notice that payment of child support that are unpaid for thirty days or more will acquire {sic} simple interest at the rate of nine percent. This is a recommendation from the DuPage County Clerk. He questioned whether this would be enforceable unless there was notice. This would require a notice. Be happy to answer any questions and move that we concur.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in -- in House

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Amendment 1 to Senate Bill 993. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 993, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1065. Senator Cronin. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1065.

The motion, by Senator Cronin.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1065, as amended by House Amendment No. 1, is essentially the same as it was when it left the Senate. However, there are a few changes, and I'll go through 'em real quickly. Change number one provides for on-line FOID Card application when the State Police has the capacity to do that. Secondly, it creates a date certain, December 1, 2002, for the Illinois State Police to use digital images from the Secretary of State on all FOID Cards. Item three, it prohibits use of those digital images if those images were associated with fraud or erroneous data. Item four requires the surrender of firearms after a felony conviction to be done at a time and place designated by the court. Those are the -- the changes in the bill, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Petka.

SENATOR PETKA:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR PETKA:

Senator Cronin, I -- I raised in committee this morning a question dealing with the surrender of firearms upon conviction. Is it the intent of the -- the sponsor that if a person is convicted of a felony and his spouse has a Firearm Owner's Identification Card and also has lawful possession of a firearm, that those firearms that would be in the possession of one lawfully, would they be required to be turned in upon conviction by another person in the house?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you, Senator Petka, for that question. And my answer is based on what was learned in committee this morning after discussion and debate. I, as the sponsor, know that this particular issue would be governed by or controlled by current existing law. And in the case that you have illustrated as a hypothetical, in the event that there are two persons, spouses, with FOID Cards, one of the spouses has been convicted of a felony and they have in possession of them jointly, in the home, firearms, I believe, the intent - and this is in accordance with some of the witnesses that offered testimony, in particular the -- from the NRA - I believe that if one of the spouses is convicted of a felony and there are guns in that household, then the guns have to go. They have to be surrendered.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, then -- and under that -- under that explanation,

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

even if the spouse were to have come into lawful possession of firearms prior to the date of the -- of the person's conviction and sentencing, under the legislation, they would be required to turn over those weapons in a court of law simply because they were living in the same home with their -- their husband. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

You've obviously identified an issue that causes us a moment of -- of thoughtful reflection, and I think as long as the guns are in the home, and the home is owned by -- either jointly or otherwise, by the -- the -- the individual who is convicted of a felony, I think the issue of possession is one that the court would probably carefully review. And I think it would be the position -- at least my intent, but I don't know that my intent is controlling here because this bill does not specifically address that issue. Current law - and I suspect there's case law on the matter - would be controlling. But my intent, in as far as this is concerned, is that if one spouse is convicted of a felony and they both have FOID Cards and there are guns in that home, the guns must be surrendered.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, then you're advocating a forfeiture of the firearm of the spouse even though that spouse may have done nothing wrong, other than, perhaps, making a mistake in the choice of a partner for life.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Well, I would offer, Senator Petka, that those guns that -- may rightfully belong to them jointly, and therefore the spouse that's not convicted of a felony would have some claim to them. I suppose that there are certain actions that she could take to segregate those guns, to put 'em in a lock box under her sole possession and control, to -- to avoid this kind of a situation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka.

SENATOR PETKA:

Senator, I don't mean to engage in an academic exercise, but there is a difference between possessing any article of personal property and ownership of it. So that in the situation where a spouse may have inherited a firearm from -- from her father - may have been a war relic - and yet it's in a dual possession, since possession in the -- in the home is possession of both, under those circumstances, is it your intent to have the firearm forfeited to the court?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

It would not be my intent, inasmuch as my intent has any relevance here, because this is current law and it's not in this bill. But it would not be my intent to force a spouse who has a rightful claim of ownership and who is in sole possession of that gun or that firearm to be forced to surrender the firearm because of the conviction of a spouse.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Petka? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Senator Cronin, on page 14 of your bill, you add this sentence, "Upon a finding of guilty for any felony offense, the defendant shall

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

physically surrender any and all firearms in his or her possession and shall physically surrender his or her Firearm Owner's Identification Card as a condition of remaining on bond pending sentencing." So if someone's out on bond, they're waiting to be sentenced, they've been convicted of a felony, I think it's pretty clear that they have to physically surrender firearms that are in their possession. And if they are living with a -- a person who also has a valid FOID Card - say, his wife - he can't just say, "Well, those are my wife's guns." You know, he got convicted of a felony. He's out on bond. I think it's pretty clear and I think you -- you should state, for the purposes of legislative intent if you have to, that that's what the law says. And I think it would be silly to sit here and say, "Well, you know, we can just have a loophole and just say that -- that she's the one." And I think that the -- the lobbyists for the National Rifle Association and ABATE, today in committee, also said the same thing. So, for what it's worth, I think that's what the bill does. I think after the sentencing, you know, it's the same deal. You're supposed to -- if a -- if a person's convicted of a felony, they have to physically surrender his or her Firearm Owner's Identification Card and surrender any and all firearms in his or her possession. So I think that's what -- what is clear. Remember, the purpose of the bill -- the reason why the NRA is for the bill is because it takes out of the State Police's decision the opportunity to be reinstated -- have possessions of your firearm reinstated to you to a court, which apparently the NRA thinks is an easier way to get your guns back. So that's what's in the bill. That's why they're for the bill. But I think on this particular point, we should make it clear. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Mr. Cronin, to close.



STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

SENATOR CRONIN:

Oh, thank you for this lively discussion. This issue has been around here, and we've discussed it. And it's a carefully crafted, negotiated piece of legislation that does make significant improvements in our gun laws. And I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1065. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 53 voting Aye, none voting Nay, 3 voting Present. And the Senate does concur in House Amendment 1 to -- to Senate Bill 1065. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1098. Senator Jones. Would you read the motion, Mr. Secretary?

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1098.

The motion, by Senator Jones.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President, Members of the Senate. This bill, as it left here, allowed for forty-five days on a seizure of a vehicle. This amendment, which we agree with, adds thirty days if added by the circuit court or if there are known criminal charges or a forfeiture order. I would recommend an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur to House

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Amendment 1 to Senate Bill 1098. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there's 56 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 1098, and the bill, having received the required constitutional majority, is declared passed.

Senate Bill 1152. Senator O'Malley. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1152.

The motion, by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 1152 is intended to address the difficulties that have been faced by some students at Governors State University. We passed it earlier this Session, with, I think, something that was very pristine and clear, that would allow those students who graduate in the master's degree program at GSU to be eligible, assuming that they have the number of hours of clinical work completed, to sit for the appropriate written examination and be licensed. The House wishes to not accede to that approach and prefers what they have been working on over there. We originally filed a motion to nonconcur when this came over here, and for all practical purposes, it's going to be tabled or already has been tabled with this motion to concur that we're moving forward with here. The reason we were going to nonconcur was that it did not provide that the -- that these students, even under the House's approach which contains our elements but more elements, that they

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

would not have to pay tuition. Subsequently, I have received assurances from the President of the University, and I would like to read into the record a letter from Stuart Fagan, the President of Governors State University, that's relevant in this regard. It says, "Dear Senator O'Malley: This will confirm my previous commitment to insure that when the Governors State University 2001 Master of Social Work graduates return to GSU to complete additional academic requirements that will allow them to re-graduate from a Council on Social Work Education approved program, they will receive all required instruction without any tuition or fee costs. This commitment is binding on the University. With this commitment, I ask that you concur in House Amendment to Senate Bill 1152. I thank you for your work on behalf of GSU students. I believe that this is an effective solution for the students and will help them in advancing their long term professional goals." I received this letter on May 16, 2001, which is the date of the letter, and I would ask you to support me in -- in my efforts to concur with the amendment to Senate Bill 1152. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President. I stand in strong support of this concurrence. And I thank Senator O'Malley for choosing this avenue, because this is the bill that everybody wanted to work on to make sure that this happened. Because in the end, in the long run, this is the legislation that will help the students at Governors State University.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is -- oh, I'm so sorry. Senator Thomas Walsh.

SENATOR T. WALSH:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR T. WALSH:

Senator O'Malley, just so I have this clear, I think the legislation as it left here, we were going to give those students a degree if they had met the requisite hours.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

What we did with Senate Bill 1152, as it originally left the Senate, it said that if you are a graduate of this program at GSU, even though it is considered unaccredited, you will be able to sit for the licensure examination provided that you have the requisite number of hours of -- of clinical work.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR T. WALSH:

That -- that's out? And what we're saying now is that -- that the -- the President of the University has said that students can come back when the program is accredited at no charge and -- and get their degree.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Walsh, what the -- what this legislation does is address the forty-plus students who were involved in Senate Bill 1152, plus some additional students who were enrolled at the same university in the same type of program in section -- you'll have to excuse me. There's sections -- type 73 certificates. I believe there's approximately eleven more of those students. That was -- those students were not part of the original legislation

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

here that's contained in -- that originally was in 1152. The bottom line is that what the students are going to have to do, in addition to the things we hoped to do in 1152 in its original form, now is take some additional courses. And I thank Senator Halvorson for her explanation, but to clarify it, Senator Walsh, the students have found themselves in the position where this is the only way that they're going to be able to get this done, because we cannot get the House to -- you know, to -- to agree with -- with our approach. However, this accomplishes it with additional course work, and the University has now assured us that these students who wish to pursue this method of -- of finalizing their certificate and -- and their degree program will be able to do it without tuition or fee expense to them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Walsh.

SENATOR T. WALSH:

So -- so that -- they're not going to be -- they have to go back to school in order to sit for the test. We're not going to be giving them or allowing them to sit for the test just because they had the number of hours that was necessary to sit for the test, but they didn't have an accredited program. We aren't giving those people that weren't through an accredited program the right to sit and take the test for a social worker.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

That -- that is correct, Senator Walsh.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Margaret Smith.

SENATOR SMITH:

Thank you, Madam President. Just to interrupt you here. I want to announce at the conclusion of this meeting, that the

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Democrats will meet in the -- Senator Emil Jones' Office immediately at the close of this Session. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR L. WALSH:

Senator O'Malley, I want to stand and -- and compliment you, as Senator Halvorson has done earlier, the work that you've put into this bill on a very difficult situation that -- that came up at Governors State. I know that you've worked hard with -- with Dr. Fagan and the staff, and worked through this on what was a very ticklish situation on which way to go. And I think that we've come up with a piece of legislation that's going to address the needs of both the school, and -- and -- and their record, and for the students also. And I compliment you on that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator O'Malley, to close. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1152. Those in favor, vote Aye. Those opposed will vote Nay. And voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, 1 voting Present. And the Senate does concur in House Amendment 1 to 1152, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1305. Senator O'Malley. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1305.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

The motion, by Senator O'Malley.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1305, as it passed the Senate, provided that a child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child whether due to a waiver on religious or medical grounds as permitted by the law or otherwise. The House wishes to exclude the last two words that I just described to you, "or otherwise", from the legislation. And based on an understanding that there'll be some legislative intent on the Floor in the Senate here, I am willing to concur with that.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Senator Karpel.

SENATOR KARPIEL:

Thank you, Madam President. I -- will the sponsor answer some questions?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates he will.

SENATOR KARPIEL:

Thank you very much. These questions are to put the intent of Senate Bill 1305 on the record. Is Senate Bill 1305 -- is it its intent that vaccination delay or failure to vaccinate for developmental issues, such as Down's syndrome or minor illnesses, constitute medical neglect for parents or guardians?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

That is not its intent.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Is Senate Bill 1305's intent to prohibit physicians from advocating different vaccination schedules than recommended by medical societies for developmental issues or minor illnesses?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Is Senate Bill 1305's intent to have physicians write a medical exemption for the above, vaccination delays or failure to vaccinate, with approval of the Department of Public Health?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator O'Malley.

SENATOR O'MALLEY:

No.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1305. Those in favor, vote Aye. Those against will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, 57 voting Aye, none voting



STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Nay, none voting Present. The Senate does concur to House Amendment No. 1 to Senate Bill 1305, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1329. Senator Lightford. Out of the record. Senate Bill 1517. Senator Dillard. Would you read the motion, Mr. Secretary, on Senate Bill 1517?

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1517.

The motion, by Senator Dillard.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This bill, as it left this Chamber, set up a pilot program for the Department of Corrections to use a pupillometer, an instrument that measures the pupil's reaction to light, in a number of tests on inmates who have drug and/or alcohol abuse problems, beginning in January of 2002, and then report back to us a year later. As amended by the House, the amendment was one that was supported by the Department of Corrections, and it changes the -- the threshold of who's going to get tested and basically makes this a little more manageable. And it says that one of the Department of Corrections' prisons where at least four thousand inmate drug tests are conducted shall be the base that they use to evaluate this technology and report back to us a year later. And I'd move that we concur in this particular amendment to House -- to Senate Bill 1517.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in Amendment 1 to Senate Bill 1517. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1517, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1521. Senator Lauzen. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1521.

The motion, by Senator Lauzen.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President, Members of the Senate. Senate Bill 1521, as amended in the Senate by Amendment No. 1, authorized the Secretary of State to issue new special license plates designated as Education license plates. The design and color of the plates would be determined by a contest that every elementary school pupil is eligible to enter. Over in the House, Amendment No. 1 does three things. First of all, it limits the scholarship to no more than five thousand dollars in a single academic year. Number two, if a prospective teacher gets one of these scholarships, the recipient must agree to teach one year for every one year of scholarship. The Senate amendment was incorrectly drafted and the bill went to the House stating that the person would have to teach four years for every one year of scholarship. And then finally, number three, it provides that five percent of the license plate proceeds are to go to the Golden Apple Foundation.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Is there any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Amendment 1 to Senate Bill 1521. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 voting Aye, none voting No, none voting Present. And the -- the Senate does concur in House Amendment 1 to Senate Bill 1521, and the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, with -- with your leave, we're going to return to page 28 on the regular Calendar. And -- Senate Bill 1117. Senator Clayborne. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1117.

The motion, by Senator Clayborne.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Bill 1117 is basically a TIF extension in the City of East St. Louis, and the amendment that -- Holbrook's amendment over in the House -- was amended to eliminate the provision that originally required the extension to take place without a public hearing. This is being extended -- the TIF is being extended to bring eighty-five jobs, to bring a world headquarters of Elementis into East St. Louis. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1117? Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, 1 voting Nay,

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1117, and the bill, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Commerce and Industry - the Motion to Concur with House Amendment 1 to Senate Bill 858; to the Committee on Executive - Senate Amendment 2 to House Bill 1655; to the Committee on Judiciary - Motion to Concur with House Amendments 1 and 2 to Senate Bill -- or, Senate Bill 28, and the Motion to Concur with House Amendment 1 to Senate Bill 435; to the Committee on Licensed Activities - Motion to Concur with House Amendment 1 to Senate Bill 527, and Amendment 1 to Senate Bill 528; and Be Approved for Consideration - the Motion to Concur with House Amendment 1 to Senate Bill 447, Amendment 1 to Senate Bill 539, Amendment 3 to Senate Bill -- or, to House Bill 2432, Senate Amendment 1 to House Bill 2917, and Senate Amendment 1 to House Bill 2920.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We still haven't concluded our business, so please remain here. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Purposes of announcement. Madam President, this is to announce that the Senate Licensed Activities Committee will be meeting at 3:45 today in Room 400. Senate Licensed Activities Committee, 3:45, in Room 400.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I hope that you have heard it all, Ladies and Gentlemen, that the Senate Licensed Committee is going to meet at 3:45 today in Room 400. Senator Hawkinson, what purpose do you rise?

SENATOR HAWKINSON:

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Purposes of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your purpose.

SENATOR HAWKINSON:

The -- the Senate Judiciary Committee will meet tomorrow morning at 10:30 a.m. in Room 400. Tomorrow morning, 10:30 a.m., in Room 400.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Senate Judiciary Committee is meeting tomorrow morning at 10:30 a.m. in Room 400. Further announcements? Senator Cronin -- or, Senator -- is it Senator Lauzen at Senator Cronin's...

SENATOR LAUZEN:

Thank you, Madam President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your purpose, sir.

SENATOR LAUZEN:

The Senate Commerce and Industry Committee will meet today at 3:45 in Room 212.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Senate Commerce Committee is going to meet in Room 212 at 3:45. Is that -- what -- what time? 3:45? 3:45? Oh. 3:45, in Room 212, Senate Commerce Committee, today. Senator Smith.

SENATOR SMITH:

Madam President, I just want to remind that at the close of this Session, right now, there will be a caucus meeting in President {sic} Emil Jones' Office for all Democrats. Please, please.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

I will repeat it for you, Senator Smith. At the close of our business this afternoon, there will be a -- a Democrat Caucus in Senator Emil Jones' Office today. Ladies and Gentlemen of the Senate, we're going to go to page 16 for the purpose of recall.

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

46th Legislative Day

May 22, 2001

Senate -- House Bill 2917. ...out of the record. Any further business to come before the Senate? If not, Senator Parker moves that the Senate stand adjourned until the hour of 11 a.m., Wednesday, May 23, 2001. We remain adjourned until 11 a.m., Wednesday, May 23, 2001.